

# United States District Court

WESTERN DISTRICT OF NEW YORK

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Richard Principio

## JUDGMENT IN A CIVIL CASE

CASE NUMBER: 05-CV-856

v.

Michael McGinnis, Superintendent, et al

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Second Amended Complaint is dismissed with prejudice. Further, leave to appeal to the Court of Appeals as a poor person is denied.

Date: August 16, 2007

RODNEY C. EARLY,  
CLERK

By: s/Deborah M. Zeeb  
Deputy Clerk